

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JESSE ADELAAR,

Plaintiff,

-against-

SPROUT FOODS, INC.,

Defendant.

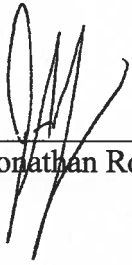
Case No.: 12-cv-3054(FM)

**DECLARATION OF JONATHAN
ROGIN IN OPPOSITION TO
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT**

I, JONATHAN ROGIN, declare under penalty of perjury pursuant to 28 U.S.C. §1746 and Local Civil Rule 1.9 that:

1. I am a partner in Berger & Webb, LLP, attorneys for Plaintiff in this action, and I make this declaration in opposition to the motion by defendant Sprout Foods, Inc. for summary judgment dismissing the complaint in this action. I am fully familiar with the facts and circumstances recited herein.
2. Attached hereto as Exhibit A is a true and correct copy of the Complaint herein.
3. Attached hereto as Exhibit B is a true and correct copy of the transcript from Plaintiff's deposition held on May 10, 2013.
4. Attached hereto as Exhibit C is a true and correct copy of the transcript from the deposition of Max MacKenzie held on January 8, 2013.
5. I declare under the penalty of perjury that the foregoing is true and correct.

Executed on June 19, 2013


Jonathan Rogin